

**AMENDMENT TO THE CLAIMS:**

**1-12. (Cancelled)**

**13. (Currently amended)** A method for receiving data packets from a transmitter, ~~the said~~ method ~~comprising the steps of:~~ comprising:

deciding that a data packet is missing;

making a retransmission decision, based on channel ~~conditions and~~ conditions, importance of the missing data packet and bit rates of previously received data packets, as to whether a retransmission request for the missing data packet is to be sent;

sending the retransmission request to the transmitter ~~in accordance with the retransmission decision~~ if the retransmission decision is affirmative; and

receiving a packet retransmitted by the transmitter in response to the retransmission request.

**14. (Previously presented)** The method according to claim 13, wherein the channel conditions include an available channel bandwidth.

**15. (Previously presented)** The method according to claim 13, wherein the channel conditions include a channel transmission delay.

**16. (Previously presented)** The method according to claim 13, wherein the channel conditions include a channel bit error rate.

**17. (Cancelled)**

**18. (Previously presented)** The method according to claim 13, wherein the retransmission request is a NACK (non-acknowledgment) packet.

19. **(Currently amended)** An apparatus for receiving data packets from a transmitter, ~~the~~ said apparatus comprising:

a loss detection unit ~~for deciding~~ operable to decide that a data packet is missing and ~~making~~ to make a retransmission decision, based on channel ~~conditions and~~ conditions, importance of the missing data packet and bit rates of previously received data packets, as to whether a retransmission request for the missing data packet is to be sent;

a transmitter buffer unit ~~for sending~~ operable to send the retransmission request to the transmitter ~~in accordance with a retransmission decision~~ if said loss detection unit makes an affirmative retransmission decision; and

a receiver buffer unit ~~for receiving~~ operable to receive the packet retransmitted by the transmitter in response to a retransmission request.

20. **(Previously presented)** The apparatus according to claim 19, wherein the channel conditions include an available channel bandwidth.

21. **(Previously presented)** The apparatus according to claim 19, wherein the channel conditions include a channel transmission delay.

22. **(Previously presented)** The apparatus according to claim 19, wherein the channel conditions include a channel bit error rate.

23. **(Cancelled)**

24. **(Previously presented)** The apparatus according to claim 19, wherein the retransmission request is a NACK (non-acknowledgment) packet.